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UNITED STATES DISTRICT COURT

for the
District of Delaware

United States of America)

v.)

Melissa K. EDGE)

Case No. 18-

73M

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 07/11/2017 in the county of New Castle in the _____ District of
Delaware, the defendant violated 18 U. S. C. § 922(a)(5)
 , an offense described as follows:

the defendant, on or about July 11, 2017, in connection with the acquisition of a firearm, two semi-automatic pistols, from Capital Pawn, LLC, a licensed firearms dealer, did make a false statement intended to deceive the dealer with respect to a fact material to the sale, that is, defendant EDGE stated that she was the purchaser, when, in fact, she well knew that she was straw purchasing the firearms for another person, her drug dealer.

This criminal complaint is based on these facts:

see attached affidavit

☒ Continued on the attached sheet.

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2018 APR 10 PM 4:12

TFO. Timothy Stock

Complainant's signature

TFO Timothy Stock, ATF

Printed name and title

Judge's signature

Honorable Sherry R. Fallon

Printed name and title

Sworn to before me and signed in my presence.

Date: April 10, 2018City and state: Wilmington, DE

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Timothy Stock being duly sworn, assert that the following information is true to the best of my knowledge, information, and belief:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) and have been so assigned since September 2017. I am currently assigned to the Wilmington, Delaware Field Office within the Baltimore Field Division. Also with your Affiant’s employment with ATF, your Affiant is a sworn law enforcement officer with the Delaware State Police. During the course of your Affiant’s law enforcement career, your Affiant has received law enforcement training on the investigation of firearms offenses. Your Affiant has participated in numerous investigations of firearms offenses and has participated in the seizure of firearms. Your Affiant has also had numerous conversations with police officers and Federal agents about the facts and circumstances of firearms offenses.

2. In that capacity, I am currently assigned as the case agent in the investigation of Melissa K. EDGE (“EDGE”). Based on the facts set forth in this affidavit, there is probable cause to believe that violations of Title 18 United States Code §922(a)(6), which prohibits material false statements to a federally licensed firearms dealer in connection with the purchase of a firearm, and Title 18 U.S.C. § 924(a)(1)(A), which prohibits knowingly making any false statement or representation with respect to the information required to be kept in the records of federally licensed firearms dealers (the “SPECIFIED FEDERAL OFFENSES”), have been committed by EDGE.

3. All information contained in this Affidavit is either personally known by me or has been related to me by other law enforcement agents unless otherwise indicated. Because this

Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only the facts that I believe are necessary to establish probable cause that the above-named Defendant violated one or more of the SPECIFIED FEDERAL OFFENSES as indicated below.

THE SPECIFIED FEDERAL OFFENSES

4. Pursuant to Title 18, United States Code, Section 922(a)(6), it is unlawful to knowingly make false oral or written statements to a federally licensed firearms dealer, when the false statement/misrepresentation was made in connection with the acquisition or attempted acquisition of a firearm, and the statement was intended or likely to deceive such firearms dealer with respect to a fact material to the lawfulness of the sale of the firearm to the defendant.

5. Pursuant to Title 18, United States Code, Section 924(a)(1)(A), it is unlawful to knowingly make any false statement or representation with respect to the information required to be kept in the records of a federally licensed firearms dealer on transfers of firearms.

FACTS SUPPORTING PROBABLE CAUSE

6. Your affiant knows that various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which Federal Firearms Licensees ("FFLs") are permitted to sell firearms and ammunition. The rules and regulations governing FFLs require that a person seeking to purchase a firearm fill out a Firearms Transaction Record ("ATF Form 4473"). ATF Form 4473 requires that the prospective firearm purchaser certify that all his or her answers provided on the ATF Form 4473 are true and correct. The information entered on ATF Form 4473 is material to the sale of firearms by FFLs. As such, each FFL is required to maintain records, in the form of completed ATF Forms 4473, of the identity of the actual transferee/buyer of all firearms sold by the FFL.

7. Your Affiant knows that ATF Form 4473 also requires the prospective firearm purchaser to answer a series of questions about the purchase, and, in particular, asks the following: “Are you the actual transferee/buyer of the firearm(s) listed on this form? Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person.” ATF Form 4473 also contains a warning that falsely answering yes to the above question and thus falsely claiming to be the actual transferee/buyer of the firearm is a crime punishable as a felony.

8. Your Affiant knows that on July 11, 2017, EDGE purchased two (2) firearms from Capital Pawn LLC, an FFL located in the County of Kent, State of Delaware within the United States District of Delaware. EDGE purchased a Keltec, CNC Industries, INC, P11 9-millimeter pistol, bearing serial number (“s/n”) 57214, and a Glock, model 19, 9 millimeter pistol, s/n: UVW803.

9. Your Affiant knows that EDGE filled out ATF Form 4473s for each of the two firearm purchases. For each of the two (2) ATF Form 4473s completed for the over-the-counter sale of those firearms, EDGE answered the question referenced above affirmatively, thereby stating that she was the “actual transferee/buyer of the firearm(s),” and certified the statement by her signature .

10. On 03/12/2018, EDGE responded to Delaware State Police Troop 3 for a recorded interview. TFO Stock and Delaware State Police detective Kline conducted the interview. EDGE waived her Miranda rights and admitted to purchasing two handguns from Capital Pawn in July 2017. Edge said that she purchased the guns “for somebody” from whom she was buying drugs and to whom she owed money; that this drug dealer asked her to purchase the guns for him in return for payment of the debt; that before the gun purchase, she met with the dealer and he

gave her money with which to buy the two guns, telling her to later report the guns stolen; and that after she bought the two guns she again met with the dealer and handed him the guns.

CONCLUSION

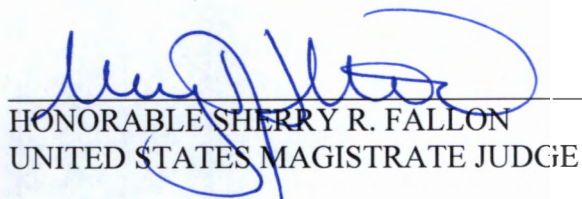
11. Based on the foregoing factual information, I submit that there is probable cause to believe that the Melissa K. EDGE has violated the SPECIFIED FEDERAL OFFENSES indicated above. Therefore, I respectfully request that the Court issue a Criminal Complaint charging those offenses.

Respectfully submitted,



Timothy W. Stock
Task Force Officer
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn to and subscribed before me on this 10th day of April, 2018



HONORABLE SHERRY R. FALLON
UNITED STATES MAGISTRATE JUDGE